

AMENDED IN ASSEMBLY APRIL 15, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 537**

**Introduced by Assembly Member Aroner**

February 18, 1999

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An act to add Section 41857 to the Education Code, relating to school transportation, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 537, as amended, Aroner. School transportation: ~~West Contra Costa Unified School District~~ *appropriation.*

Existing law establishes a formula for the apportionment by the Superintendent of Public Instruction of an amount from the State School Fund to fund home-to-school transportation.

This bill would establish an alternative formula for funding home-to-school transportation ~~in the West Contra Costa Unified School District.~~

~~The bill would declare that, due to the unique circumstances applicable to the West Contra Costa Unified School District, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution for a school district in which at least 50% of the pupils enrolled in the district qualified for free and reduced price lunches, district's home-to-school transportation entitlement was less than 15% of the district's home-to-school approved expenses, and the number of average daily boardings by pupils enrolled in the~~

*school district who use public transit as home-to-school transportation in the 1997–98 fiscal year exceeded 30% of the district's enrollment.*

*This bill would continuously appropriate commencing with the 1999–2000 fiscal year, and each fiscal year thereafter, from Section A of the School Fund to the Superintendent of Public Instruction the amount necessary to fund the additional home-to-school transportation allowance. The funds appropriated by this bill would be applied toward the minimum funding requirement for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.*

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 41857 is added to the Education  
 2 Code, to read:  
 3 41857. (a) Notwithstanding any other provision of  
 4 law, for purposes of this article, commencing with the  
 5 1999–2000 fiscal year and each fiscal year thereafter, the  
 6 home-to-school transportation allowance received by ~~the~~  
 7 ~~West Contra Costa Unified School District, shall be a~~  
 8 ~~school district that is eligible pursuant to subdivision (b)~~  
 9 ~~established at an amount equal to the district prior year~~  
 10 ~~CBEDS enrollment times the statewide average per~~  
 11 ~~pupil allowance for home-to-school transportation, but in~~  
 12 ~~no event shall the home-to-school transportation~~  
 13 ~~allowance received by the West Contra Costa Unified~~  
 14 ~~School District be in an amount greater than the~~  
 15 ~~approved costs of home-to-school transportation received~~  
 16 ~~by that district for the 1998–99 fiscal year.~~  
 17 ~~SEC. 2. The Legislature finds and declares that, due~~  
 18 ~~to the unique circumstances applicable to the West~~  
 19 ~~Contra Costa Unified School District, a statute of general~~  
 20 ~~applicability cannot be enacted within the meaning of~~  
 21 ~~subdivision (b) of Section 16 of Article IV of the California~~  
 22 ~~Constitution for that fiscal year.~~

1     ***(b) A school district is eligible for a home-to-school***  
2     ***transportation allowance pursuant to subdivision (a) if it***  
3     ***meets all of the following conditions:***

4     ***(1) At least 50 percent of the pupils enrolled in the***  
5     ***district qualified for free and reduced price lunches***  
6     ***according to data from the 1997 CBEDS.***

7     ***(2) The district's home-to-school transportation***  
8     ***entitlement was less than 15 percent of the district's***  
9     ***home-to-school approved expenses, as reported by***  
10    ***Exhibit 1-A of the State Department of Education's***  
11    ***1997-98 home-to-school transportation apportionment***  
12    ***exhibit.***

13    ***(3) The number of average daily boardings by pupils***  
14    ***enrolled in the school district who use public transit as***  
15    ***home-to-school transportation in the 1997-98 fiscal year***  
16    ***exceeded 30 percent of the district's CBEDS enrollment.***

17    ***(c) Notwithstanding Section 13340 of the Government***  
18    ***Code, commencing with the 1999-2000 fiscal year, and***  
19    ***each fiscal year thereafter, the amount necessary to fund***  
20    ***the additional home-to-school transportation allowance***  
21    ***provided by this section is hereby appropriated from***  
22    ***Section A of the School Fund to the Superintendent of***  
23    ***Public Instruction to make allocations to school districts***  
24    ***who qualify for funding under this section.***

